

## Exhibit A

## Commonwealth of Massachusetts

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO.

19-623

WRIGHT FAMILY LAW GROUP, P.C.  
Plaintiff,

v.

WIX, INC. and  
GOOGLE, INC.  
Defendants

### COMPLAINT

FILED  
IN THE OFFICE OF THE  
CLERK OF COURTS  
FOR THE COUNTY OF MIDDLESEX

MAR 06 2019

### PARTIES

1. Wright Family Law Group, P.C. (hereinafter "WFLG") is a professional corporation duly organized and existing under the laws of the Commonwealth of Massachusetts with a principal place of business located at 1445 Main Street, Tewksbury, Middlesex County, Massachusetts.
2. Wix, Inc. is a foreign corporation headquartered at 40 West 27th St. New York, NY, Mountain View, California. At all relevant times material hereto, defendant transacted business within the Commonwealth of Massachusetts. Jurisdiction is therefore proper in Massachusetts.
3. Google, Inc. is a foreign corporation. At all relevant times material hereto, defendant transacted business within the Commonwealth of Massachusetts. Jurisdiction is therefore proper in Massachusetts. Google headquarters is located at 600 Amphitheatre Pkwy. Mountainview, CA.

### VENUE

Damages in this case exceed \$25,000 and therefore venue is proper.

### FACTS

4. Sometime in April of 2014 WFLG contracted with Wix to for website hosting services. WFLG paid Wix consideration in the form of an annual fee for a "premium" profile which included upgraded website services as well as access to a GSuite (Gmail) email platform. As part of the contract, Wix's provided platform was to be "secured" and provided a username and password which only WFLG had access to.
5. This business relationship continued year to year, renewing every month in the Spring.
6. On February 22, 2019 the security measures Wix put in place to keep WFLG's account secure failed. The account was hacked by an unauthorized third party

and WFLG's website was removed. The unauthorized individual has a website and contact information at [ikms.co](http://ikms.co). That person or persons used the email [ellen@ikms.co](mailto:ellen@ikms.co) to administer the WFLG account. During this process WFLG's confidential email through GSuite was also compromised.

7. In the weeks that followed, WFLG sent multiple requests to Wix to reset the username and password and on at least 3 occasions providing all verifying credentials including a copy of the FBI complaint filed in connection with the security breach and credit card information that was on file for the WFLG account.
8. Despite the foregoing, Wix did not respond timely. The unauthorized user has managed to continually reset the password barring access by WFLG to its account due to Wix's refusal to respond within a reasonable timeframe. Copies of Wix responses are attached hereto as Exhibit "1".
8. Despite repeated requests for phone contact, Wix refused to a representative at WFLG. The only customer support number that if offered reports that the center is "closed".
9. On March 6, 2019 the username has been reset from [ellen@ikms.co](mailto:ellen@ikms.co) to an unknown email.
11. In the event that the unauthorized user deleted WFLG's email accounts, Gmail will be able to recover it, but only within 30 days from the date of deletion. Per discussions with Google Cloud Support, Gmail cannot help WFLG regain control of the email accounts because Wix is the reseller. WFLG will be irreparably harmed if the 30 days elapses and the emails are deleted.

**COUNT I**  
**Negligence**  
**Wright Family Law Group, P.C. v. Wix, Inc.**

11. Plaintiff WFLG incorporates by this reference all allegations contained in paragraphs 1-11 above as fully set forth and contained herein.
12. Because Wix failed to exercise due care in that it did not provide adequate security for the WFLG account, WFLG has been harmed and has suffered monetary damages.
13. Because Wix failed to exercise due care in that it did not provide adequate security for the WFLG account, WFLG will suffer irreparable harm within the near future in the emails contained on the Gmail server are permanently deleted.

WHEREFORE, Plaintiff Wright Family Law Group demands judgment against Wix, Inc. as follows:

1. For compensation for costs associated with regaining control of the Wright Family Law Group domain, for costs associated with hiring an expert;
2. Order that Wix immediately take steps to grant WFLG full access to its account and to establish adequate security; and
3. For attorney fees, interests and costs.
4. Any other relief the court deems just and proper.

**COUNT II**  
**Breach of Contract / Violation of M.G.L. Ch. 93A**  
**Wright Family Law Group, P.C. v. Wix, Inc.**

12. Plaintiff WFLG incorporates by this reference all allegations contained in Paragraphs 1 through 11 of this of this complaint, as though fully set forth herein.
13. Because Wix breached its contract with WFLG in that it did not provide adequate security for the WFLG account, WFLG has been harmed and has suffered monetary damages. Wix has Violated M.G.L. C. 93A.
14. Because Wix breached its contract with WFLG in that it did not provide adequate security for the WFLG account, WFLG will suffer irreparable harm within the near future in the emails contained on the Gmail server are permanently deleted.

WHEREFORE, Plaintiff Wright Family Law Group demands judgment against Wix, Inc. as follows:

1. For compensation for costs associated with regaining control of the Wright Family Law Group domain, for costs associated with hiring an expert;
2. Order that Wix immediately take steps to grant WFLG full access to its account and to establish adequate security; and
3. For attorney fees, interests and costs.
4. Any other relief the court deems just and proper.

**COUNT III**  
**Preliminary Injunction**  
**Wright Family Law Group, P.C. v. Google**

15. Plaintiff WFLG incorporates by this reference all allegations contained in Paragraphs 1 through 14 of this of this complaint, as though fully set forth herein.
16. Because of the aforementioned security breach, WFLG will suffer irreparable harm within the near future in the emails contained on the Gmail server are permanently deleted.
18. Google will not be prejudice and carries a burden substantially less than what the WFLG will suffer should injunctive relief be denied.
19. The plaintiff prays that this court enjoin defendant Google from selling, deleting or otherwise eliminating the emails associated with the Wix/GSuite account which is of great value and concern in this action.

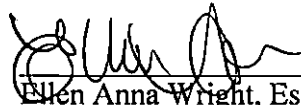
WHEREFORE, plaintiff WFLG demands a preliminary injunction against defendant Google from deleting or otherwise eliminating the emails associated with the Wix/GSuite account which is of great value and concern in this action.

**COUNT IV**  
**Preliminary Injunction**  
**Wright Family Law Group, P.C. v. Wix**

20. Plaintiff WFLG incorporates by this reference all allegations contained in Paragraphs 1 through 19 of this of this complaint, as though fully set forth herein.
21. Because of the aforementioned security breach, WFLG will suffer irreparable harm within the near future if WFLG cannot regain access to it's Wix account to access it's emails.
22. Wix will not be prejudice and carries a burden substantially less than what the WFLG will suffer should injunctive relief be denied.
23. The plaintiff prays that this court order Wix to immediately grant WFLG access to its account forthwith.


WHEREFORE, plaintiff WFLG demands a preliminary injunction against defendant Wix and order Wix grant WFLG access to its account forthwith.

Respectfully Submitted Plaintiff,  
Wright Family Law Group, P.C  
by it's Attorney,



Ellen Anna Wright, Esq. BBO #1675339  
Wright Family Law Group, P.C.  
1445 Main St.  
Tewksbury, MA 01876  
978-851-2291 Office  
978-851-2292 Fax  
ellen@wrightfamilylawgroup.com

Dated: March 6, 2019

<b>CIVIL TRACKING ORDER</b> <b>(STANDING ORDER 1- 88)</b>	DOCKET NUMBER <b>1981CV00623</b>	<b>Trial Court of Massachusetts</b> <b>The Superior Court</b> 
CASE NAME: Wright Family Law Group, P.C. vs. Wix, Inc. et al		Michael A. Sullivan, Clerk of Court Middlesex County
TO: Ellen Anna Wright, Esq. Wright Family Law Group 1445 Main St Tewksbury, MA 01876		COURT NAME & ADDRESS Middlesex Superior - Lowell 360 Gorham Street Lowell, MA 01852

### TRACKING ORDER - A - Average

You are hereby notified that this case is on the track referenced above as per Superior Court Standing Order 1-88. The order requires that the various stages of litigation described below must be completed not later than the deadlines indicated.

#### STAGES OF LITIGATION

#### DEADLINE

	SERVED BY	FILED BY	HEARD BY
Service of process made and return filed with the Court		06/04/2019	
Response to the complaint filed (also see MRCP 12)		07/05/2019	
All motions under MRCP 12, 19, and 20	07/04/2019	08/05/2019	09/03/2019
All motions under MRCP 15	04/29/2020	05/29/2020	05/29/2020
All discovery requests and depositions served and non-expert depositions completed	02/23/2021		
All motions under MRCP 56	03/25/2021	04/26/2021	
Final pre-trial conference held and/or firm trial date set			08/23/2021
Case shall be resolved and judgment shall issue by			03/07/2022

The final pre-trial deadline is not the scheduled date of the conference. You will be notified of that date at a later time. Counsel for plaintiff must serve this tracking order on defendant before the deadline for filing return of service. This case is assigned to

DATE ISSUED <b>03/06/2019</b>	ASSISTANT CLERK <b>Brian F Burke</b>	PHONE
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<b>CIVIL ACTION COVER SHEET</b>	DOCKET NUMBER <b>19-623</b>	Trial Court of Massachusetts The Superior Court
PLAINTIFF(S): <b>Wright Family Law Group, P.C.</b>		COUNTY: <b>Middlesex</b>
ADDRESS: <b>1445 Main St. Yarmouth MA 01876</b>		
DEFENDANT(S): <b>Wix, Inc.</b>		
<b>40 West 27th St. New York, NY</b>		
ATTORNEY: <b>Ellen Wright, Esq.</b>	ADDRESS: <b>Google Inc.</b>	
ADDRESS: <b>1445 Main St. Yarmouth MA 01876</b>	<b>600 Amphitheatre Parkway Mountain View CA</b>	
BBO: <b>1075339</b>		
TYPE OF ACTION AND TRACK DESIGNATION (see reverse side)		
CODE NO. <b>BE1</b>	TYPE OF ACTION (specify) <b>Negligence</b>	TRACK <b>A</b>
		HAS A JURY CLAIM BEEN MADE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
*If "Other" please describe:		
<div style="display: flex; justify-content: space-between;"> <div>Is there a claim under G.L. c. 93A? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</div> <div>Is this a class action under Mass. R. Civ. P. 237? <input type="checkbox"/> YES <input type="checkbox"/> NO</div> </div>		
STATEMENT OF DAMAGES PURSUANT TO G.L. c. 212, § 3A		
The following is a full, itemized and detailed statement of the facts on which the undersigned plaintiff or plaintiff's counsel relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.		
TORT CLAIMS (attach additional sheets as necessary)		
A. Documented medical expenses to date: 1. Total hospital expenses ..... 2. Total doctor expenses ..... 3. Total chiropractic expenses ..... 4. Total physical therapy expenses ..... 5. Total other expenses (describe below) .....	<div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 150px;">         FILED          IN THE OFFICE OF THE          CLERK OF COURTS          FOR THE COUNTY OF MIDDLESEX    <b>MAR 06 2019</b>    <i>[Signature]</i>          CLERK       </div>	\$ ..... \$ ..... \$ ..... \$ ..... \$ ..... Subtotal (A): \$ .....
B. Documented lost wages and compensation to date ..... C. Documented property damages to date ..... D. Reasonably anticipated future medical and hospital expenses ..... E. Reasonably anticipated lost wages ..... F. Other documented items of damages (describe below) ..... <b>Business Damages, Legal Costs, Expert Costs</b>		\$ ..... \$ ..... \$ ..... \$ ..... \$ <b>25,000+</b>
G. Briefly describe plaintiff's injury, including the nature and extent of injury: <b>email + website hacked. Defendants refuse to help plaintiff regain access. Business has suffered damages</b>		TOTAL (A-F): \$ <b>25,000+</b>
CONTRACT CLAIMS (attach additional sheets as necessary)		
<input type="checkbox"/> This action includes a claim involving collection of a debt incurred pursuant to a revolving credit agreement. Mass. R. Civ. P. 8.1(a). Provide a detailed description of claim(s):		
		TOTAL: \$ <b>25,000.00+</b>
Signature of Attorney/ Unrepresented Plaintiff: X <i>[Signature]</i>		Date: <b>3/6/19</b>
RELATED ACTIONS: Please provide the case number, case name, and county of any related actions pending in the Superior Court.		
CERTIFICATION PURSUANT TO SJC RULE 1:18		
I hereby certify that I have complied with requirements of Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods of dispute resolution.		
Signature of Attorney of Record: X <i>[Signature]</i>		Date: <b>3/6/19</b>



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## Commonwealth of Massachusetts

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. 19-623WRIGHT FAMILY LAW GROUP, P.C.  
Plaintiff,

v.

WIX, INC. and  
GOOGLE, INC.  
Defendants**MOTION FOR EMERGENCY EX PARTE  
TEMPORARY  
RESTRAINING ORDER**

NOW COMES the plaintiff and requests that the Court Order that Wix, Inc. immediately contact the plaintiff via telephone and re-secure the plaintiff's Wix account which contains the plaintiff's administration portal the WFLG office email. Plaintiff also requests that the court Order defendant Google, Inc. not to permanently delete any of the WFLG emails off its server. As grounds therefore, the plaintiff relies on the affidavit in support of this motion.

*ALLOWED in part in that Google, Inc. is ordered not to delete any of the emails of the Wright Family Law Group, P.C. from its server until further order of the court. With respect to the claim as to Wix, Inc, a short order of notice shall issue for a hearing.*

Respectfully Submitted Plaintiff,  
Wright Family Law Group, P.C.  
by it's Attorney,

FILED  
IN THE OFFICE OF THE  
CLERK OF COURTS  
FOR THE COUNTY OF MIDDLESEX

MAR 06 2019

CLERK

*[Signature]*  
Ellen Anna Wright, Esq.  
Wright Family Law Group, P.C.  
1445 Main St.  
Tewksbury, MA 01876  
978-851-2291 Office  
978-851-2292 Fax  
ellen@wrightfamilylawgroup.com

Dated: March 6, 2019

*as to the requested order.*  
*[Signature]* 3/6/19

3-11-19  
© 20m in  
L1

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## Commonwealth of Massachusetts

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO.

19-623

WRIGHT FAMILY LAW GROUP, P.C.

Plaintiff,

v.

WIX, INC. and

GOOGLE, INC.

Defendants

### AFFIDAVIT IN SUPPORT OF MOTION FOR EMERGENCY TEMPORARY INJUNCTION

FILED  
IN THE OFFICE OF THE  
CLERK OF COURTS  
FOR THE COUNTY OF MIDDLESEX

MAR 06 2019

CLERK

1. My name is Ellen Anna Wright and I am the owner of Wright Family Law Group, P.C. We are a small law firm located in Tewksbury Massachusetts specializing in Domestic Relations.

2. In 2014, we revamped our website and email systems. We contracted with defendant Wix, Inc. as the web hosting company and purchased our email set up through Gsuite which was offered as an email service through Wix.

3. I was given a username and password with Wix. Since that time, I paid all annual fees for the business premium upgrade for the website services in the spring of each year. There are four attorneys as well as me that use the office email. We also have a secretary with her own email address. The Wix portal was allegedly "secure".

4. On February 22, 2019 our Wix portal was hacked. By going through the Wix portal, the hacker was able to access all of our office Gmail accounts. They were also able to take down our website. The unauthorized person also commandeered my Google business listing.

5. Complaints with the Tewksbury Police Department as well as the FBI or filed. Since that time, I have on at least four occasions gone through account the recovery process with Wix, however, as soon as they reset the password the unauthorized person who has hacked the accounts is quickly able reset it. Wix will not communicate with me on the phone so this process cannot be done in real time to regain access.

6. I was able to regain control of my domain and I have since set it up with another company, however, I am not able to get at my email. Gmail will not help me because the email accounts were sold through Wix, who is an authorized Google reseller.

7. Google has a 30-day retention policy for deleted email on its server. On March 22, 2019 my office email may be gone forever. Google will not voluntarily extend the 30 days.

8. The importance of regaining control of this email accounts cannot be overestimated. This email contains, among other things, five years' worth of client communication and with opposing counsel as well. There is extremely sensitive

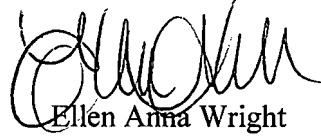
information contained in this, as it stands the hacker has had access to this for almost 2 weeks.

8. I am asking the Court order:

1. Google not to delete any of the email off of its server until further Order of the Court and;
2. Wix contact me by phone so that the account can be re-secured in real time.



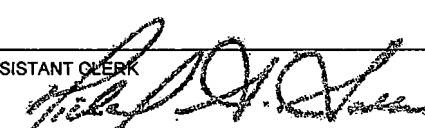
9. The foregoing is stated to the best of my knowledge and belief.


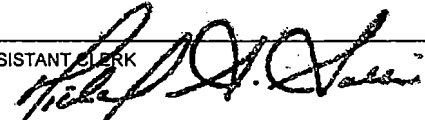
Under the Pains of Perjury,



Ellen Anna Wright

3/6/19

<b>SUMMONS AND TEMPORARY RESTRAINING ORDER</b>		DOCKET NUMBER  <b>1981CV00623</b>	<b>Trial Court of Massachusetts The Superior Court</b> 
CASE NAME: <b>Wright Family Law Group, P.C. vs. Wix, Inc. et al</b>		<b>Michael A. Sullivan, Clerk of Court Middlesex County</b>	
TO: <b>Wix, Inc.</b>			COURT NAME & ADDRESS <b>Middlesex Superior - Lowell 360 Gorham Street Lowell, MA 01852</b>
<p>To the above named defendant(s):</p> <p>You are hereby summoned and required to serve upon, plaintiff's attorney:</p> <p style="text-align: center;"><b>Ellen Anna Wright, Esq. Wright Family Law Group 1445 Main St Tewksbury, MA 01876</b></p> <p>an answer to the complaint/3rd party complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint/3rd party complaint. You are also required to file your answer to the complaint/3rd party complaint in the office of Clerk of this Court at Lowell either before service upon plaintiff's attorney or within a reasonable time thereafter.</p> <p>Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.</p> <p><b>WE ALSO NOTIFY YOU</b> that application has been made in said action for a Preliminary Injunction. A hearing will be held at the court house on:</p> <p style="text-align: center;"><b>Date: 03/11/2019 Time: 02:00 PM Session: Civil L1 Session Location: Middlesex Superior - Lowell</b></p> <p>at which time you may appear and show cause why such application should not be granted. In the meantime, until such hearing, <b>WE COMMAND YOU</b>, Wix, Inc. and your agents, attorneys and counselors, and each and every one of them:</p> <p><b>be and hereby Ordered that Google, Inc. not to delete any of the emails of the Wright Family Law Group, P.C. from its server until further Order of the Court.</b></p>			
DATE ISSUED <b>03/06/2019</b>	ASSOCIATE JUSTICE <b>Hon. Bruce R Henry</b>	ASSISTANT CLERK <b>X</b> 	SESSION PHONE#

<b>SUMMONS AND TEMPORARY RESTRAINING ORDER</b>	DOCKET NUMBER  <b>1981CV00623</b>	<b>Trial Court of Massachusetts The Superior Court</b> 	
CASE NAME: <b>Wright Family Law Group, P.C. vs. Wix, Inc. et al</b>			<b>Michael A. Sullivan, Clerk of Court Middlesex County</b>
TO: <b>Google, Inc.</b>			COURT NAME & ADDRESS <b>Middlesex Superior - Lowell 360 Gorham Street Lowell, MA 01852</b>
<p>To the above named defendant(s):</p> <p>You are hereby summoned and required to serve upon, plaintiff's attorney:</p> <p style="text-align: center;"><b>Ellen Anna Wright, Esq. Wright Family Law Group 1445 Main St Tewksbury, MA 01876</b></p> <p>an answer to the complaint/3rd party complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint/3rd party complaint. You are also required to file your answer to the complaint/3rd party complaint in the office of Clerk of this Court at Lowell either before service upon plaintiff's attorney or within a reasonable time thereafter.</p> <p>Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.</p> <p><b>WE ALSO NOTIFY YOU</b> that application has been made in said action for a Preliminary Injunction. A hearing will be held at the court house on:</p> <p style="text-align: center;"><b>Date: 03/11/2019 Time: 02:00 PM Session: Civil L1 Session Location: Middlesex Superior - Lowell</b></p> <p>at which time you may appear and show cause why such application should not be granted. In the meantime, until such hearing, <b>WE COMMAND YOU</b>, Google, Inc. and your agents, attorneys and counselors, and each and every one of them:</p> <p><b>be and hereby Ordered that Google, Inc. not to delete any of the emails of the Wright Family Law Group, P.C. from its server until further Order of the Court.</b></p>			
DATE ISSUED <b>03/06/2019</b>	ASSOCIATE JUSTICE <b>Hon. Bruce R Henry</b>	ASSISTANT CLERK <b>X</b> 	SESSION PHONE#

## COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

WRIGHT FAMILY LAW GROUP, P.C.

Plaintiff,

v.

WIX, INC. and GOOGLE, INC.

Defendants.

**RECEIVED**

3/10/2019

Civil Action No. 1981-CV-00623

**STIPULATION**

Plaintiff Wright Family Law Group's and Defendant Wix, Inc. ("Defendant") stipulate as follows (this "Stipulation"):

WHEREAS, on March 6, 2019, Plaintiff filed a Complaint in the above-captioned action (the "Action");

WHEREAS, Plaintiff filed concurrently with its Complaint a Motion for Emergency *Ex Parte* Temporary Restraining Order (the "Motion") against Wix and Defendant Google, Inc. ("Google");

WHEREAS, the Motion requested, among other relief, that "the Court Order that Wix, Inc. immediately contact the plaintiff via telephone and re-secure the Plaintiff's Wix account";

WHEREAS, on March 6, 2019, the Court granted the Motion as to certain relief requested against Google and, as to the relief requested against Wix, set the Motion for a hearing at 2 p.m. on March 11, 2019 ("Hearing Date");

WHEREAS on March 7, 2019, without waiving any claims or defenses, Wix contacted Plaintiff via telephone;

WHEREAS Plaintiff no longer needs assistance gaining access to its Wix account; and

WHEREAS Wix and Plaintiff agree that the Motion is now moot as to Wix and that there is no controversy that remains to be heard at the Hearing Date;

NOW, THEREFORE, IT IS HEREBY STIPULATED, CONSENTED AND AGREED, by Plaintiff and Wix, that:

1. Plaintiff hereby withdraws the Motion as to Wix;
2. Plaintiff and Wix respectfully request that the Court take the hearing on the Motion off the court's calendar;
3. This Stipulation may be executed in one or more counterparts, including by facsimile and electronic mail, and as executed, shall constitute one agreement; and
4. Plaintiff and Wix enter into this stipulation without waiver of any claims or defenses in this Action.

[SIGNATURE PAGE FOLLOWS]

Dated: March 10, 2019

Respectfully submitted,

/s/ Ellen Anna Wright

Ellen Anna Wright, Esq. (BBO # 675339)  
WRIGHT FAMILY LAW GROUP, P.C.  
1445 Main St.  
Tewksbury, MA 01876  
Telephone: +1.978.851.2291  
Facsimile: +1.978.851.2292  
Email: ellen@wrightfamilylawgroup.com

*Counsel for Plaintiff*

/s/ Serrin Turner

Serrin Turner, Esq. (BBO # 652407)  
LATHAM & WATKINS LLP  
885 Third Avenue  
New York, NY 10022-4834  
Telephone: +1.212.906.1200  
Facsimile: +1.212.751.4864  
Email: serrin.turner@lw.com

*Counsel for Defendant Wix, Inc.*



**CERTIFICATE OF SERVICE**

I hereby certify that on March 10, 2019, a true copy of the above document was served via email and first class mail on all counsel of record.

/s/ Serrin Turner  
Serrin Turner, Esq.

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COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

WRIGHT FAMILY LAW GROUP, P.C.  
Plaintiff,

v.

WIX, INC. and GOOGLE, INC.  
Defendants.

Civil Action No. 1981-CV-00623

**RECEIVED**

3/20/2019

**UNOPPOSED MOTION TO ADMIT MICHAEL H. RUBIN *PRO HAC VICE***

The undersigned, counsel for Defendant Wix, Inc. and a member of the bar of this Commonwealth, hereby respectfully requests, pursuant to Massachusetts General Laws, c. 221, § 46A, that Michael H. Rubin ("Atty. Rubin") be permitted to appear as counsel for Wix, Inc. and practice in this Court *pro hac vice*. In support of this motion, the undersigned states as follows:

1. Plaintiff does not oppose the relief requested in this motion.
2. Atty. Rubin practices in the San Francisco office of Latham & Watkins LLP.
3. Atty. Rubin has a prior relationship with Wix, Inc. which is essential in defending this action on behalf of Wix, Inc.
4. In further support of this motion, attached hereto as Exhibit A is the affidavit of Michael H. Rubin.
5. As set forth in his supporting affidavit, Atty. Rubin: (a) is in good standing with the California bar and the bars of all jurisdictions in which he is admitted; (b) has no disciplinary proceedings pending against him as a member of the bar in any jurisdiction; and (c) is familiar

with and will abide by the rules of this Court. California grants similar *pro hac vice* privileges to members of the bar of the Commonwealth of Massachusetts.

6. The Massachusetts Board of Bar Overseers has confirmed acceptance of the registration fee required by Massachusetts Supreme Judicial Court Rule 3:15 for Atty. Rubin. Attached hereto as Exhibit B is proof of receipt of payment for Atty. Rubin.

7. The undersigned counsel, as a member in good standing of the bar of the Commonwealth of Massachusetts, will be actively associated with Atty. Rubin in the representation of Wix, Inc. in these proceedings.

WHEREFORE, the undersigned requests that this Court admit Michael H. Rubin *pro hac vice*.

Consented to by:

PLAINTIFF,

By its attorney,

/s/ Ellen Anna Wright  
Ellen Anna Wright (BBO# 675339)  
WRIGHT FAMILY LAW GROUP, P.C.  
1445 Main St.  
Tewksbury, MA 01876  
Telephone: (978) 851-2291  
Facsimile: (978) 851-2292  
[ellen@wrightfamilylawgroup.com](mailto:ellen@wrightfamilylawgroup.com)

Respectfully submitted,

WIX, INC.,

By its attorney,

/s/ Serrin A. Turner  
Serrin A. Turner (BBO# 652407)  
LATHAM & WATKINS LLP  
885 Third Avenue  
New York, NY 10022  
Telephone: (212) 906-1330  
Facsimile: (212) 751-4864  
[serrin.turner@lw.com](mailto:serrin.turner@lw.com)

March 20, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that on March 20, 2019, a true copy of the above document was served via email and first class mail on all counsel of record.

/s/ Serrin A. Turner  
Serrin A. Turner

**EXHIBIT A**

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

WRIGHT FAMILY LAW GROUP, P.C.  
Plaintiff,

v.

WIX, INC. and GOOGLE, INC.  
Defendants.

Civil Action No. 1981-CV-00623

**AFFIDAVIT OF MICHAEL H. RUBIN**

I, MICHAEL H. RUBIN, hereby depose and say as follows.

1. I am an attorney with Latham & Watkins LLP, located in San Francisco, CA.

This affidavit is submitted in support of the accompanying Motion, filed pursuant to Massachusetts General Laws, c. 221, § 46A, seeking my admission to practice *pro hac vice* before the Court in the above-captioned case on behalf of Defendant Wix, Inc.

2. I have a prior relationship with Wix, Inc. and knowledge of the subject matter of the instant suit. Accordingly, I will be of assistance in litigating this case on behalf of Wix, Inc.

3. My contact information is as follows:

Michael H. Rubin, Esq.  
Latham & Watkins LLP  
505 Montgomery Street  
Suite 2000  
San Francisco, CA 94111-6538  
(415) 395-8154  
[michael.rubin@lw.com](mailto:michael.rubin@lw.com)

4. I graduated from the University of Michigan Law School with a Juris Doctor degree.

5. I have been admitted to practice and remain a member in good standing of the bars of the following jurisdictions:

- California;
- U.S. District Court – Southern District of California;
- U.S. District Court – Northern District of California;
- U.S. District Court – Eastern District of California;
- U.S. District Court – Central District of California;
- U.S. District Court – District of Colorado;
- U.S. Court of Appeals for the 9th Circuit;
- U.S. Court of Appeals for the 2nd Circuit;
- U.S. Court of Appeals for the 3rd Circuit; and
- U.S. Supreme Court

6. I have never been denied admission or disciplined by any Court and there are no disciplinary proceedings currently pending against me.

7. I am familiar with and shall comply with the Massachusetts Rules of Civil Procedure and the Rules of the Superior Court.

8. I will be subject to the jurisdiction of the Superior Court for the County of Middlesex in connection with my work in the above-captioned matter.

9. The state of California grants similar reciprocal *pro hac vice* privileges to members of the bar of the Commonwealth of Massachusetts.

10. I respectfully request that the Court order my admission as a visiting attorney with respect to the representation of Wix, Inc. in this action.

Signed under the pains and penalties of perjury this 20th day of March, 2019.

/s/ Michael H. Rubin  
Michael H. Rubin.



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

WRIGHT FAMILY LAW GROUP, P.C.  
Plaintiff,

v.

WIX, INC. and GOOGLE, INC.  
Defendants.

Civil Action No. 1981-CV-00623

3/21/2019

**STIPULATION TO EXTEND TIME TO ANSWER**

**RECEIVED**

Plaintiff and Defendant Wix, Inc. ("Wix") hereby stipulate and agree that the time within which Wix may answer or otherwise respond to Plaintiff's Complaint is extended to and including May 1, 2019. By entering into this stipulation, Wix does not waive any existing or future rights, all of which rights Wix expressly reserves.

Dated: March 21, 2019

Respectfully submitted,

/s/ Ellen Anna Wright

Ellen Anna Wright, Esq. (BBO # 675339)  
WRIGHT FAMILY LAW GROUP, P.C.  
1445 Main St.  
Tewksbury, MA 01876  
Telephone: +1.978.851.2291  
Facsimile: +1.978.851.2292  
Email: ellen@wrightfamilylawgroup.com

*Counsel for Plaintiff*

/s/ Serrin Turner

---

Serrin Turner, Esq. (BBO # 652407)

LATHAM & WATKINS LLP

885 Third Avenue

New York, NY 10022-4834

Telephone: +1.212.906.1200

Facsimile: +1.212.751.4864

Email: [serrin.turner@lw.com](mailto:serrin.turner@lw.com)

Michael H. Rubin (*pro hac vice* pending)

505 Montgomery Street, Suite 2000

San Francisco, CA 94111

Telephone: +1.415.391.0600

Facsimile: +1.415.395.8095

Email: [michael.rubin@lw.com](mailto:michael.rubin@lw.com)

*Counsel for Defendant Wix, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 21, 2019, a true copy of the above document was served via email and first class mail on all counsel of record.

/s/ Serrin Turner

Serrin Turner

# WRIGHT FAMILY LAW GROUP

---

1445 Main Street Tewksbury, MA 01876  
Tel (978) 851-2291 • Fax (978) 851-2292

---

April 5, 2019

**VIA FIRST CLASS POST**

Middlesex County Superior Court  
Attn: Civil Clerk  
360 Gorham St.  
Lowell, MA 01852

**RE: WRIGHT FAMILY LAW GROUP, P.C. v. WIX, INC.**  
**Middlesex County Probate and Family Court**  
**Docket No. 1981CV00623**

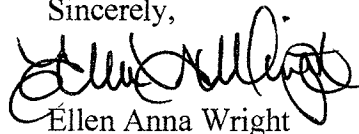
Dear Sir or Madam Clerk:

Enclosed please find the Plaintiff's Notice of Dismissal, with prejudice, of Plaintiff's Claims Against Wix, Inc.

Kindly docket in your usual manner.

Thank you for your attention to this matter.

Sincerely,



Ellen Anna Wright

CC: Michael Rubin, Esq.  
Sarah Kelly, Esq.

RECEIVED  
APR 10 2019



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

WRIGHT FAMILY LAW GROUP, P.C.  
Plaintiff,

v.

WIX, INC. and GOOGLE, INC.  
Defendants.

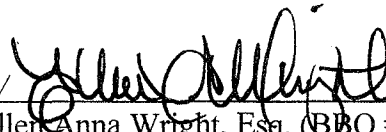
Civil Action No. 1981-CV-00623

**NOTICE OF DISMISSAL, *WITH PREJUDICE*,  
OF PLAINTIFF'S CLAIMS AGAINST DEFENDANT WIX, INC.**

Plaintiff Wright Family Law Group, P.C. ("Plaintiff") has learned that the system of defendant Wix, Inc. ("Wix") was not breached and therefore no longer wishes to pursue its claims against Wix. Accordingly, pursuant to the provisions of Mass. R. Civ. P. 41(a)(1)(i), Plaintiff voluntarily dismisses with prejudice its Complaint against Wix.

Dated: April 9, 2019

Respectfully submitted,

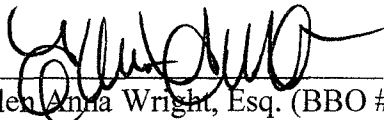
/s/ 

Ellen Anna Wright, Esq. (BBO # 675339)  
WRIGHT FAMILY LAW GROUP, P.C.  
1445 Main St.  
Tewksbury, MA 01876  
Telephone: +1.978.851.2291  
Facsimile: +1.978.851.2292  
Email: ellen@wrightfamilylawgroup.com

*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 8, 2019, a true copy of the above document was served via email and first class mail on all counsel of record.

/s/   
Ellen Anna Wright, Esq. (BBO # 675339)

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT

WRIGHT FAMILY LAW GROUP, P.C.,

Plaintiff,

v.

WIX, INC. and GOOGLE, INC.,

Defendants.

CIVIL ACTION NO. 19-623

**STIPULATION TO EXTEND TIME TO FILE ANSWER**

Pursuant to Rule 6(b)(3), defendant, Google, Inc. ("Google") and plaintiff Wright Family Law Group stipulate that Google shall have an extension of time to and including Wednesday, May 15, 2019, to answer or otherwise respond to Plaintiff's complaint.

WRIGHT FAMILY LAW GROUP:

GOOGLE, INC.

By its attorney,

By its attorney,

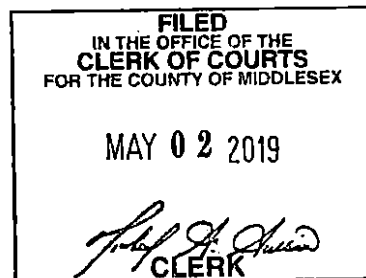
*Ellen Anna Wright / spk*

Ellen Anna Wright (BBO #675339)  
[ellen@wrightfamilylawgroup.com](mailto:ellen@wrightfamilylawgroup.com)  
Wright Family Law Group, P.C.  
1445 Main Street  
Tewksbury, MA 01876  
Telephone: (978) 851-2291  
Facsimile: (978) 851-2292

*SP Kelly*


Sarah P. Kelly (BBO #664267)  
[skelly@nutter.com](mailto:skelly@nutter.com)  
Nutter, McClennen & Fish, LLP  
Seaport West, 155 Seaport Blvd.  
Boston, MA 02210  
Telephone: (617) 439-2000  
Facsimile: (617) 310-9000

Dated: April 29, 2019



CERTIFICATE OF SERVICE

I hereby certify that on this 29<sup>th</sup> day of April, 2019, a copy of the foregoing document was served on all counsel of record by U.S. First Class Mail.

  
\_\_\_\_\_  
Sarah P. Kelly

.4453667.1



#13

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT

WRIGHT FAMILY LAW GROUP, P.C.,

Plaintiff,

v.

WIX, INC. and GOOGLE, INC.,

Defendants.

CIVIL ACTION NO. 19-623

**STIPULATION TO EXTEND TIME TO FILE ANSWER**

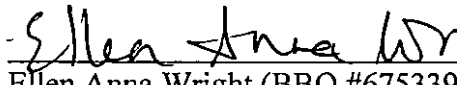
Pursuant to Rule 6(b)(3), defendant, Google, Inc. ("Google") and plaintiff Wright Family Law Group stipulate that Google shall have an extension of time to and including Wednesday, May 29, 2019, to answer or otherwise respond to Plaintiff's complaint.

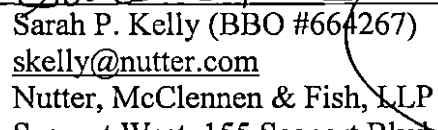
WRIGHT FAMILY LAW GROUP:

GOOGLE, INC.

By its attorney,

By its attorney,

  
Ellen Anna Wright (BBO #675339)  
[ellen@wrightfamilylawgroup.com](mailto:ellen@wrightfamilylawgroup.com)  
Wright Family Law Group, P.C.  
1445 Main Street  
Tewksbury, MA 01876  
Telephone: (978) 851-2291  
Facsimile: (978) 851-2292

  
Sarah P. Kelly (BBO #664267)  
[skelly@nutter.com](mailto:skelly@nutter.com)  
Nutter, McClennen & Fish, LLP  
Seaport West, 155 Seaport Blvd.  
Boston, MA 02210  
Telephone: (617) 439-2000  
Facsimile: (617) 310-9000

Dated: May 14, 2019

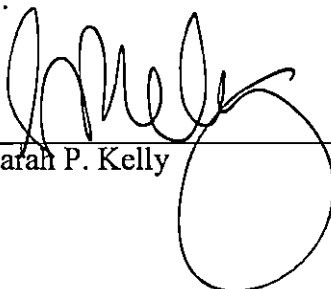
FILED  
IN THE OFFICE OF THE  
CLERK OF COURTS  
FOR THE COUNTY OF MIDDLESEX

MAY 16 2019

  
CLERK

CERTIFICATE OF SERVICE

I hereby certify that on this 14<sup>th</sup> day of May, 2019, a copy of the foregoing document was served on all counsel of record by U.S. First Class Mail.

  
\_\_\_\_\_  
Sarah P. Kelly

.4453667.1

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT

WRIGHT FAMILY LAW GROUP, P.C.,

Plaintiff,

v.

WIX, INC. and GOOGLE, INC.,

Defendants.

CIVIL ACTION NO. 19-623

**STIPULATION TO EXTEND TIME TO FILE ANSWER**

Pursuant to Rule 6(b)(3), defendant, Google, Inc. ("Google") and plaintiff Wright Family Law Group stipulate that Google shall have an extension of time to and including Wednesday, May 29, 2019, to answer or otherwise respond to Plaintiff's complaint.

WRIGHT FAMILY LAW GROUP:

GOOGLE, INC.

By its attorney,

By its attorney,

*Ellen Anna Wright*  
Ellen Anna Wright (BBO #675339)  
[ellen@wrightfamilylawgroup.com](mailto:ellen@wrightfamilylawgroup.com)  
Wright Family Law Group, P.C.  
1445 Main Street  
Tewksbury, MA 01876  
Telephone: (978) 851-2291  
Facsimile: (978) 851-2292

*Sarah P. Kelly*  
Sarah P. Kelly (BBO #664267)  
[skelly@nutter.com](mailto:skelly@nutter.com)  
Nutter, McClennen & Fish, LLP  
Seaport West, 155 Seaport Blvd.  
Boston, MA 02210  
Telephone: (617) 439-2000  
Facsimile: (617) 310-9000

Dated: May 14, 2019

FILED  
IN THE OFFICE OF THE  
CLERK OF COURTS  
FOR THE COUNTY OF MIDDLESEX

MAY 16 2019

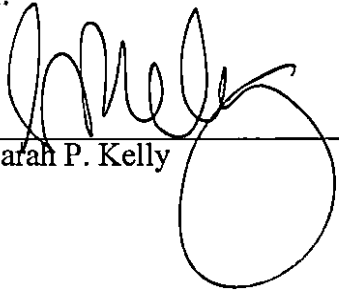
*[Signature]*  
CLERK

*Step 19: Allowed, by agreement, Wall, J. Caputo*

*#13*

CERTIFICATE OF SERVICE

I hereby certify that on this 14<sup>th</sup> day of May, 2019, a copy of the foregoing document was served on all counsel of record by U.S. First Class Mail.

  
\_\_\_\_\_  
Sarah P. Kelly

.4453667.1

# WRIGHT FAMILY LAW GROUP

---

1445 Main Street Tewksbury, MA 01876  
Tel (978) 851-2291 • Fax (978) 851-2292

May 17, 2019

**VIA ELECTRONIC MAIL AND FIRST CLASS POST**

Sarah Kelly, Esq.  
Nutter McClennen & Fish LLP  
155 Seaport Blvd  
Boston, MA 02210

**RE: WRIGHT FAMILY LAW GROUP, P.C. v. GOOGLE, INC.**  
**Middlesex County Superior Court**  
**Docket No. 1981CV00623**

Dear Attorney Kelly:

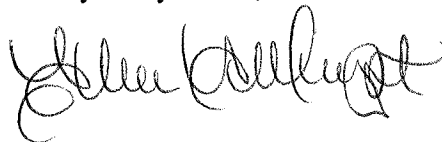
Enclosed please find the following:

1. Plaintiff Motion to Amend Complaint; and
2. Amended Complaint.

Please forward your opposition, if any, in accordance with the time prescribed by Superior Court Rule 9A.

Thank you in advance for your attention to this matter.

Very Truly Yours,



Ellen Anna Wright

/Enc.

RECEIVED  
MAY 20 2019



## Commonwealth of Massachusetts

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. 1981CV00623

\_\_\_\_\_  
WRIGHT FAMILY LAW GROUP, P.C.  
Plaintiff

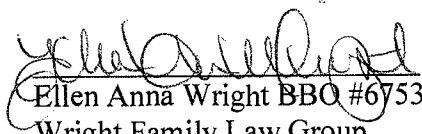
v.

\_\_\_\_\_  
GOOGLE, INC.  
Defendant  
\_\_\_\_\_

)  
)  
)  
) **MOTION TO AMEND COMPLAINT**  
)  
)  
)  
)

NOW COMES Wright Family Law Group, P.C. (hereinafter “WFLG”) plaintiff in the above captioned matter and respectfully requests leave of Court to amend the complaint as to defendant Google filed March 6, 2019 pursuant to Mass. R. Civ. Pro. 11. the plaintiff states that the new facts have surfaced which warrant revision to the counts contained in the original complaint, specifically claims made under M.G.L. c. 93A. Mass. R. Civ. P. 15(a) provides that leave to amend pleadings shall be freely given when justice so requires. Massachusetts enjoys a long standing liberal policy of allowing amendments to pleadings. *See e.g. Bengar v. Clark Equipment Co.*, 401 Mass. 554,556 (1988). A motion to amend should be allowed unless there is a good reason to deny it. *Haves v. New England Millwork Distributors, Inc.*, 602 F. 2d 15, 19 (1979) Here there is no reason to deny the motion to Amend Complaint. Moreover, this action has only recently been commenced and the parties have not yet begun to engage in discovery.

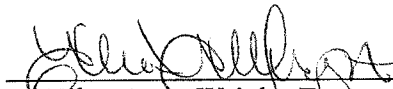
Respectfully Submitted  
Wright Family Law Group,  
By it's Attorney

  
Ellen Anna Wright BBO #675339  
Wright Family Law Group  
1445 Main Street  
Tewksbury, MA 01876  
978-851-2291 Tel.  
978-851-2291 Fax  
ellen@wrightfamilylawgroup.com

Dated: May 17, 2019

**CERTIFICATE OF SERVICE**

I certify that I have served a copy of the foregoing upon counsel for the defendant  
Google, Inc. via electronic mail and first class mail.

  
Ellen Anna Wright, Esq.

## Commonwealth of Massachusetts

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. 1981CV00623

WRIGHT FAMILY LAW GROUP, P.C.  
Plaintiff,

v.

GOOGLE, INC.  
Defendant

**AMENDED COMPLAINT**

### **PARTIES**

1. Wright Family Law Group, P.C. (hereinafter "WFLG") is a professional corporation duly organized and existing under the laws of the Commonwealth of Massachusetts with a principal place of business located at 1445 Main Street, Tewksbury, Middlesex County, Massachusetts.
2. Google, Inc. is a foreign corporation headquartered at 600 Amphitheatre Parkway in Mountain View, California. At all relevant times material hereto, defendant Google transacted business within the Commonwealth of Massachusetts. Jurisdiction is therefore proper in Massachusetts.

### **VENUE**

Damages in this case exceed \$25,000 and therefore venue is proper.

### **FACTS**

3. Sometime in April of 2014 WFLG purchased premium GSuite email accounts for employee use. These email accounts were purchased through a third-party reseller. Google received consideration from the sale of the GSuite email accounts and serviced the GSuite accounts at all times material hereto.
4. This business relationship continued year to year, renewing every month in the Spring. Plaintiff purchased additional email accounts over the course of the following 5 years for a total of 5 GSuite email accounts.
5. Despite security measures put in place, on February 22, 2019 the GSuite email accounts were hacked by an unauthorized third party and were compromised. These emails contained sensitive attorney client communication which constituted a major security breach for WFLG.



6. In the days that followed, WFLG sent electronic requests to Google to reset the username and password and on at least 3 occasions. Google does not provide a customer service phone number and so WFLG also included requests for in-person telephone assistance.
7. Despite the foregoing, Google did not provide any meaningful response to any of WFLG's electronic requests for help. On February 26, 2019 WFLG sent a letter via priority mail to Google's corporate headquarters in California requesting assistance.
8. Google did not initiate phone contact with WFLG until March 4, 2019. At that time, a representative known as "Lili" informed WFLG that they would not restore access because the accounts were purchased through a third party reseller.
9. Access to the email accounts were eventually restored on March 8, 2019 with the assistance from a technical expert hired by WFLG.
10. As a consequence of Google's refusal to render assistance, WFLG was locked out of its company email for 2 weeks. During that time, the unauthorized party had unfettered access to confidential client communiques.
11. At all times material hereto, the cell phone number for the president of WFLG was associated with the GSuite accounts. The cell phone is regularly used for business use, including client contact via text.
12. Upon information and belief, sometime between February 22, 2019 and March 8, 2019 the unauthorized third party established a Google Voice phone number mask over the aforementioned cell phone line. The result of this unauthorized configuration causes the plaintiff's cell phone number to be masked by a Google voice number when the plaintiff calls or texts another Google Voice phone number. Plaintiff has no practicable way of ascertaining what phone numbers in the contact database, or any other number for that matter, are Google Voice phone numbers.
13. This particular breach was not discovered until May 4, 2019. Counsel for Google was notified on May 6, 2019 of the situation. Counsel for Google was also informed of the sensitive client contact information that was contained on the cell phone.
14. Thereafter, Google, through counsel informed plaintiff that the number was a [REDACTED] "shadow" number and that this was intended to mask the non-Voice number so that identities are protected. To that end, Google assigned plaintiff's cell phone a random number because plaintiff was interacting with a Google Voice product.
15. Google knew, or had reason to know that the number was not random, but rather was registered to an individual who purports to reside in Michigan.

16. Google knew, or had reason to know that that plaintiff had texted the Google Voice phone number in question 10 months previously with no incidents of phone number “masking.”
17. Google knew, or had reason to know plaintiff’s first name was attached to the shadow text messages and that there was no “identity protection” associated with the text exchange.
18. To date Google has taken no proactive measures to resolve the cell phone breach despite actual and constructive notice.

**COUNT I**

**Negligence**

**Wright Family Law Group, P.C. v. Google Inc.**

19. Plaintiff WFLG incorporates by this reference all allegations contained in paragraphs 1-18 above as fully set forth and contained herein.
20. Because Google failed to exercise due care in refusing to provide WFLG assistance with restoring the account upon reasonable request and rectifying the unauthorized Google Voice phone number configuration, WFLG has been harmed and has suffered monetary damages.

WHEREFORE, Plaintiff Wright Family Law Group demands judgment against Google, Inc. as follows:

1. For compensation for costs associated with the loss of and regaining control of the Wright Family Law Group G-Suite accounts for costs associated with hiring an expert;
2. For attorney fees, interests and costs.
3. Any other relief the court deems just and proper.

**COUNT II**

**Breach of Quasi Contract/Constructive Contract**

**Wright Family Law Group, P.C. v. Google, Inc.**

21. Plaintiff WFLG incorporates by this reference all allegations contained in Paragraphs 1 through 20 of this of this complaint, as though fully set forth herein.
22. Google and WFLG did not have a formal contract because the GSuite email accounts were purchased through a third party re-seller.

23. Despite the foregoing, a quasi-contract or constructive contract existed between the parties due to the nature of the business relationship and the consideration and benefit derived therefrom by both parties.
24. Because Google breached its quasi contract with WFLG in that failed to assist WFLG with timely restoration of the GSuite accounts, WFLG has suffered damages.

WHEREFORE, Plaintiff Wright Family Law Group demands judgment against Google, Inc. as follows:

1. For actual and compensatory damages;
2. For attorney fees, interests and costs;
3. Any other relief the Court deems just and proper.

**COUNT III**  
**Negligent Misrepresentation**  
**Wright Family Law Group, P.C. v. Google, Inc.**

25. Plaintiff WFLG incorporates by this reference all allegations contained in Paragraphs 1 through 24 of this of this complaint, as though fully set forth herein.
26. Google made false representations as to a past or existing fact as set forth above and had no reasonable ground for believing it to be true.
27. These representations must have been made with the intent to induce WFLG to rely upon them, and dismiss the within action against Google.
28. As a consequence of these representations, WFLG has suffered damages.

WHEREFORE, Plaintiff Wright Family Law Group demands judgment against Google, Inc. as follows:

1. For actual and compensatory damages;
2. For attorney fees, interests and costs;
3. Any other relief the Court deems just and proper.

**Count IV**  
**Violation of M.G.L. c. 93A §11**  
**Wright Family Law Group, P.C. v. Google, Inc.**

29. Plaintiff WFLG incorporates by this reference all allegations contained in Paragraphs 1 through 28 of this of this complaint, as though fully set forth herein.

30. Google's failure to act as set forth above constitutes unfair and/or deceptive conduct as per M.G.L. c. 93A §11 and has caused WFLG damages.
31. Google's misrepresentations concerning the Google Voice phone number masking constitute unfair and deceptive practices in violation of M.G.L. c. 93A §11 and has caused WFLG damages.

WHEREFORE, Plaintiff Wright Family Law Group demands judgment against Google, Inc. as follows:

1. For actual and compensatory damages;
2. For attorney fees, interests and costs;
3. Any other relief the Court deems just and proper.

**COUNT V**  
**Preliminary Injunction**  
**Wright Family Law Group, P.C. v. Google, Inc.**

32. Plaintiff WFLG incorporates by this reference all allegations contained in Paragraphs 1 through 31 of this of this complaint, as though fully set forth herein.
33. Because of the aforementioned security breach, WFLG will suffer irreparable harm within the near future in the emails and activity logs contained on the Gmail server are permanently deleted.
34. WFLG requires the activity logs from Google in order to perform a forensic analysis of the email accounts to determine the extent of the data breach and what specific information was accessed.
34. Google will not be prejudiced and carries a burden substantially less than what the WFLG will suffer should injunctive relief be denied.
35. The plaintiff prays that this court enjoin defendant Google from selling, deleting or otherwise eliminating the emails and all activity logs associated with the GSuite accounts which is of great value and concern in this action.

WHEREFORE, plaintiff WFLG demands a preliminary injunction against defendant Google from deleting or otherwise eliminating the emails and activity logs associated with the GSuite accounts.

Respectfully Submitted Plaintiff,  
Wright Family Law Group, P.C  
by it's Attorney,



---

Ellen Anna Wright, Esq. BBO No. 675339  
Wright Family Law Group, P.C.  
1445 Main St.  
Tewksbury, MA 01876  
978-851-2291 Office  
978-851-2292 Fax  
ellen@wrightfamilylawgroup.com

Dated: May 17, 2019

#14  
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

\_\_\_\_\_  
WRIGHT FAMILY LAW GROUP, P.C.,

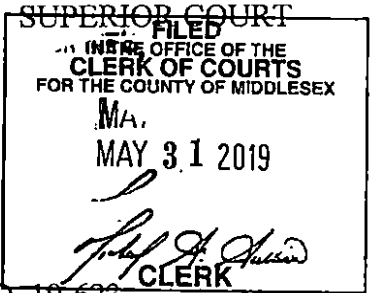
Plaintiff,

v.

\_\_\_\_\_  
WIX, INC. and GOOGLE, INC.,

Defendants.  
\_\_\_\_\_

CIVIL ACTION NO. 19-623



**STIPULATION TO EXTEND TIME TO FILE ANSWER**

Pursuant to Rule 6(b)(3), defendant, Google, Inc. ("Google") and plaintiff Wright Family Law Group stipulate that Google shall have an extension of time to and including Wednesday, June 13, 2019, to answer or otherwise respond to Plaintiff's Complaint.

WRIGHT FAMILY LAW GROUP:

GOOGLE, INC.

By its attorney,

By its attorney,

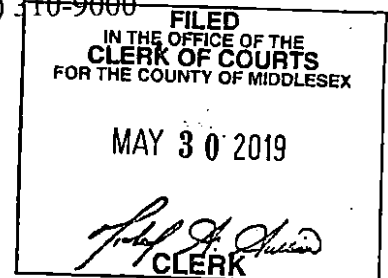
Ellen Wright / spk

Ellen Anna Wright (BBO #675339)  
[ellen@wrightfamilylawgroup.com](mailto:ellen@wrightfamilylawgroup.com)  
Wright Family Law Group, P.C.  
1445 Main Street  
Tewksbury, MA 01876  
Telephone: (978) 851-2291  
Facsimile: (978) 851-2292

Sarah P. Kelly

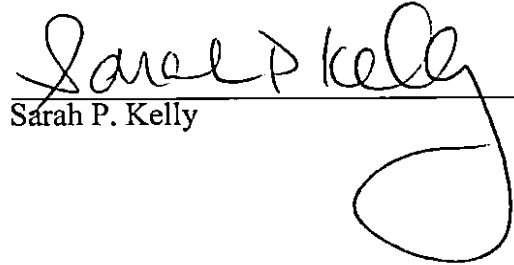
Sarah P. Kelly (BBO #664267)  
[skelly@nutter.com](mailto:skelly@nutter.com)  
Nutter, McClennen & Fish, LLP  
Seaport West, 155 Seaport Blvd.  
Boston, MA 02210  
Telephone: (617) 439-2000  
Facsimile: (617) 310-9000

Dated: May 28, 2019



CERTIFICATE OF SERVICE

I hereby certify that on this 28<sup>th</sup> day of May, 2019, a copy of the foregoing document was served on all counsel of record by U.S. First Class Mail.

  
\_\_\_\_\_  
Sarah P. Kelly

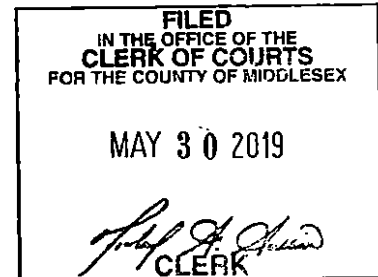
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Sarah P. Kelly  
Direct Line: (617) 439-2461  
Fax: (617) 310-9461  
E-mail: skelly@nutter.com

May 28, 2019  
120003-1

Civil Clerk's Office  
Middlesex Superior Court – Lowell  
360 Gorham Street  
Lowell, MA 01852



Re: *Wright Family Law Group P.C. v. Wix, Inc., et al.*  
Civil Action No. 1981CV00623

Dear Sir/Madam:

Enclosed for filing in connection with the above-reference case please find a Stipulation to Extend Time to File Answer. Kindly docket and file the same.

Thank you for your anticipated attention to this matter and, if you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sarah P. Kelly".  
Sarah P. Kelly

SPK:jme  
Enclosure

cc: Ellen Anna Wright, Esq.  
Serrin Turner, Esq.

4456059.2